



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MRG/JS/GN
F. #2018R01858

*271 Cadman Plaza East
Brooklyn, New York 11201*

April 14, 2023

By ECF

The Honorable Kiyo A. Matsumoto
United States District Court
Eastern District of New York 225
Cadman Plaza East Brooklyn, New
York 11201

Re: United States v. Qawon Allen
Criminal Docket No. 20-213 (KAM)

Dear Judges Matsumoto:

The government respectfully writes to provide a status update and to inquire of the Court the Court's preferred approach to potential briefing in the above-captioned matter. As the Court is aware, the defendant's sentencing in the above-captioned matter has been adjourned without date to allow the parties to determine whether disqualification and/or a hearing pursuant to U.S. v. Curcio, 680 F.2d 881 (2d Cir. 1982) may be necessary in advance of the defendant's upcoming sentencings in this case and in United States v. Allen, 19-CR-128 (NGG) ("Allen I").

On April 10, 2023, the government filed a motion (attached as Exhibit 1 (the "Motion")) to disqualify the Federal Defenders of New York ("FDNY") from representing the defendant in Allen I. The Honorable Nicholas G. Garaufis ordered the defendant's opposition due April 24, 2023, the government's reply due May 1, 2023, and oral argument to take place on May 4, 2023 at 11:00 a.m. In addition, Judge Garaufis appointed James Branden Esq., to serve as an independent attorney to advise the defendant of his interests in connection with these proceedings.

The government anticipates making the substantially the same motion in this matter. The government defers to the Court on whether it would like to consider the Motion simultaneous to the court in Allen I or whether the Court prefers to entertain any motions after the issues in Allen I are resolved. The government appreciates the Court's consideration and any directive on this matter.

While the government has not identified a basis for sealing this submission, at the request of the FDNY, the government filed the Motion under seal so that FDNY may

have the opportunity to be heard on the question of sealing before it is made public. For the same reasons, the government files this letter and Exhibit 1 under seal here.

The government is available at the Court's convenience.

Respectfully submitted,

BREON PEACE
United States Attorney

By: /s/
Matthew R. Galeotti
Jonathan Siegel
Genny Ngai
Assistant U.S. Attorneys
(718) 254-7000

cc: Clerk of the Court (KAM) (by ECF and e-mail)
Deirdre Von Dornum, Esq. (by e-mail)
Benjamin Yaster, Esq. (by e-mail)
Marissa Sherman, Esq. (by e-mail)
James Branden, Esq. (by e-mail)